

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN THE BANKRUPTCY MATTER OF:

Sherri Norris

Debtor

Chapter 13 No. 19-00071

Judge Jacqueline P. Cox

OBJECTION TO CONFIRMATION OF PLAN

The Bank of New York Mellon as Trustee for CWABS, Inc. Asset-Backed Certificates, Series 2005-4, (“Movant”), through its attorneys, Kluever & Platt, LLC, files this, its Objection to Confirmation of Plan, (“Objection”) and in support thereof, states the following as Movant’s:

1. Debtor filed the instant Bankruptcy case on 1/02/2019.
2. This Court has jurisdiction over this Objection as this Objection is a core proceeding.
3. Movant is the holder of the note secured by a mortgage on the property commonly known as 144 S. 11th Ave, Maywood, IL 60153, (“the Subject Property”).
4. Select Portfolio Servicing, Inc. is the servicing agent for Movant.
5. Movant’s pre-petition arrears claim is \$88,352.09.
6. Debtor's Chapter 13 Plan of Reorganization, (the “Plan”), provides that the Trustee disburse the sum of \$0.00 to cure Movant’s pre-petition arrears claim.
7. Further, the amount of Movant’s claim is \$285,256.28, but Debtor wishes to have the debt reduced, despite the claim being a secured claim.
8. Accordingly, the Plan impermissibly modifies the rights of the Movant to receive all funds due it, thereby violating 11 U.S.C. § 1322(b)(2) and 11 U.S.C. § 1322(b)(5).

WHEREFORE, Movant requests this Court enter an Order denying confirmation of the Plan and for such other relief as the Court Deems just.

The Bank of New York Mellon as Trustee for
CWABS, Inc. Asset-Backed Certificates, Series
2005-4

/s/ Mark Johnson

Mark Johnson ARDC# 6284911
Counsel for Movant

Date: 3/20/2019

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